



Senator Ted W. Lieu

28th Senate District

Senate Bill 1172

Sexual Orientation Change 'Therapy'

Fact Sheet

Purpose:

A type of so-called 'therapy' has been growing throughout California as well as the nation that claims to convert or repair a person's sexual orientation. This so-called reparative therapy, conversion therapy or reorientation therapy is scientifically ineffective and has resulted in much harm, including a number of lesbian, gay, bisexual and transgender youth committing suicide. This is an unacceptable therapeutic practice and Senate Bill 1172 establishes first-in-the-nation protections for youths from this therapeutic quackery.

Background:

What is sexual orientation change efforts?

Sexual orientation change efforts, sometimes called reparative therapy, conversion therapy or reorientation therapy, is an attempt to change the sexual orientation of a person from homosexual or bisexual to heterosexual. The American Psychiatric Association states that conversion therapy is a type of psychiatric treatment "based upon the assumption that homosexuality per se is a mental disorder or based upon the *a priori* assumption that a patient should change his/her sexual homosexual orientation."

Most mental health professionals consider sexual orientation change therapy discredited, but it is still practiced by some professionals in California. (See the bill's language – Section One – for the actual statements of the various medical and mental health professional associations.)

What occurs during sexual orientation change therapy?

Psychologist Douglas Haldeman writes that conversion therapy comprises efforts by mental health professionals and religious leaders to convert lesbians and gay men to heterosexuality by techniques including aversive treatments, such as the application of electric shock to the hands and/or genitals, and nausea-inducing drugs...administered simultaneously with the presentation of homoerotic stimuli, masturbatory reconditioning, visualization, social skills training, psychoanalytic therapy, and spiritual interventions, such as "prayer and group support and pressure."

The federal Ninth Circuit Court of Appeals addressed the issue of sexual orientation therapy in the context of an asylum application. The court held that a Russian citizen who was subjected to sexual orientation change efforts that included sedative drugs and hypnosis "constituted mental and physical torture." *Pitcherskaia v INS* 118 F.3d 641 (9th Cir. 1997)

For example, Joseph Nicolosi, one of the founders of modern reparative therapy, promotes that a man should: (1) Participate in sports activities; (2) Avoid activities considered of interest to homosexuals, such as art museums, opera, symphonies; (3) Avoid women unless it is for romantic contact; (4) Increase time spent with heterosexual men in order to learn to mimic heterosexual male ways of walking, talking, and interacting with other heterosexual men; (5) Attend church and join a men's church group; (6) Attend reparative therapy group to discuss progress, or slips back into homosexuality; (7) Become more assertive with women through flirting and dating; (8) Begin heterosexual dating; (9) Engage in heterosexual intercourse; (10) Enter into heterosexual marriage; and (11) Father children. Nicolosi adds, "with appropriate masculine affirmation and support, however, they can all be developed within the context of normal heterosexual manhood."

What are the effects of sexual orientation change therapy?

Some individuals perceived that they had benefited from sexual orientation change efforts, but the *vast majority* of participants perceived that they had been harmed.

Among those studies reporting on the perceptions of harm, the reported negative social and emotional consequences included self-reports of anger, grief, anxiety, confusion, debilitating depression, guilt, hopelessness, deteriorated relationships with family, loss of social support, loss of faith, poor self-image, social isolation, intimacy difficulties, intrusive imagery, suicidal ideation, self-hatred, nightmares and sexual dysfunction.

The published literature on sexual orientation change programs suggest that many programs do not present accurate scientific information regarding same-sex sexual orientations to youths and families, are excessively fear-based, and have the potential to increase sexual stigma. Homosexuality and bisexuality are stigmatized and this can have a variety of negative consequences for a lifetime.



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Individuals who failed to change sexual orientation, while believing they should have changed with such efforts, described their experiences as a significant cause of emotional and spiritual distress and negative self-image.

Are there any legitimate and peer-reviewed studies in favor of Sexual Orientation Change Efforts?

Up until the 1970s, the mental health field's diagnostic manual classified homosexuality as an illness but all that changed in part because in part by the efforts of Doctor Robert L Spitzer. Later in the 1990s, many within the mental health establishment considered sexual orientation change efforts to be a dud.

However, this changed when Dr. Spitzer issued a study where he supported the use of reparative therapy to "cure" homosexuality for people strongly motivated to change. This study was used by mental health providers who practice SOCE as solid evidence in support of SOCE.

But just recently, Dr. Spitzer recanted this study and has pointed out the serious problems with the study. Since all of the studies by advocates who promote SOCE are based upon Dr. Spitzer's now renounced study, these advocates are hard pressed to find any legitimate study that promotes SOCE.

What are the International Views of Sexual Orientation Change Efforts?

The Pan American Health Organization, a regional office of the World Health Organization, has held that efforts aimed at changing non-heterosexual sexual orientations lack medical justification and that services which purport to "cure" people represent a serious threat to the health and well-being – even the lives – of affected people. This international organization calls upon governments, academic institutions, professional associations and the media to expose these practices.

Deficiency in Current law:

California lacks any protections for lesbian, gay, bisexual or transgender individuals who are seeking mental-health advice and guidance. By in large, many mental health providers assist LGBT Californians in a healthy and safe manner on a variety of issues. These therapeutic practices aid many individuals and these practices are not causing dangerous harm and are not the focus of SB 1172. This is clearly clarified in statutory language within the bill and in the legislative findings and declaration. SB 1172 seeks to provide protections for LGBT youth by preventing these types of therapies that are potentially dangerous.

The focus of SB 1172 is to limit deceptive "therapies" that are harmful to minors by mental-health providers. Sexual orientation change efforts, like reparative therapy conversion therapy or reorientation therapy, are the types of sham therapies that California law does not protect against for minors.

In 2009, the Legislature passed SB 543 (Leno, Ch. 503, Stats. 2010) which authorized a minor who is 12 years of age or older to consent to mental health treatment or counseling services if, in the opinion of the attending professional person, the minor is mature enough to participate intelligently in the mental health treatment or counseling services. At first glance, SB 1172 appears to be in conflict with SB 543.

However, SB 1172 does not conflict with SB 543 and within SB 543 contained exceptions to a minors access to controversial or dangerous mental health treatments, such as electro-convulsive therapy and psychosurgery. (Welf. & Inst. Code Secs. 5326.6 and 5326.7)

Here, because the objectives of SOCE are not supported by evidence, and there are indications that the practice may result in harm, creating an exception to the general rule that minors can consent to mental health treatment, is warranted. Not allowing minors to consent to SOCE is consistent with current law and does not affect their ability to consent to the counseling and support intended under SB 543."



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This Bill:

SB 1172 seeks to protect children from sexual orientation change efforts. Specifically, SB 1172 clarifies that minors are not able to receive any sexual orientation change efforts, regardless of the desire of the minor or minor's parents for such desired changes.

Sponsor and Co-Sponsors:

Equality California (Sponsor)
Courage Campaign (Co-Sponsor)
Gaylesta (Co-Sponsor)
Lambda Legal (Co-Sponsor)
Mental Health America of Northern CA (Co-Sponsor)
National Center for Lesbian Rights (Co-Sponsor)

Support:

A Wider Bridge
All Out (www.allout.org)
American Association for Marriage and Family Therapy, California Division
American Civil Liberties Union (ACLU)
American Psychoanalytic Association
APAIT Health Center
Asian Law Caucus
Asians and Pacific Islanders Equality-LA
Believe Out Loud
Board of Behavioral Sciences
California Association of Marriage and Family Therapists, East Bay Chapter
California Association of Marriage and Family Therapists, Los Angeles Chapter
California Association of Marriage and Family Therapists, San Francisco Chapter
California Association of Marriage and Family Therapists, Santa Clara Valley Chapter
California Communities United Institute
California Council of Community Mental Health Agencies
California Latino Psychological Association
California National Organization for Women

Additional Support from:

California Psychological Association
California State Board of Equalization Member Betty Yee
CenterLink: The Community of LGBT Centers
Central Texas Metropolitan Community Church
City of Los Angeles
City of Los Angeles Mayor Antonio Villaraigosa
City of Oakland Mayor Jean Quan
City of West Hollywood
City & County of San Francisco
Coil Foundation
Congress of California Seniors
DignityUSA
Dignity/San Diego
Ecumenical Catholic Church
Faith in America
Family Equality Council
First Metropolitan Community Church of Atlanta, GA
Gay-Straight Alliance Network
Glory to Glory Christian Church United Church of Christ
Institute for Judaism, Sexual Orientation & Gender Identity
Integrity USA
Keshet, a national Jewish organization
L.A. Gay & Lesbian Center
L.A. Stonewall Young Democrats
Lesbian and Gay Psychotherapy Association of Southern California
Long Beach Lambda Democratic Club
Many Voices: A Black Church Movement for Gay & Transgender Justice
Metropolitan Community Church New England Campus Ministries
Metropolitan Community Churches – Office of Church Life and Health
Metropolitan Community Churches – Office of Emerging Ministries
Metropolitan Community Church in the Valley
Metropolitan Community Church of Albuquerque
Metropolitan Community Church of Austin



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Metropolitan Community Church of the Blue Ridge
Metropolitan Community Church of Richmond
Metropolitan Community Church of Sarasota
More Light Presbyterians
Muslims for Progressive Values
National Association of Social Workers, CA Chapter
National Religious Leadership Roundtable
New Ways Ministry
Pacific McGeorge Lambda Law Students Association
Progressive Christians Uniting
Reconciling Ministries Network: United Methodists
ReconcilingWorks: Lutherans for Full Participation
Religious Institute Faithful Voices on Sexuality & Religion
Rockway Institute – Center at CA School of Professional
Psychology, Alliant International University
Seventh-day Adventist Kinship International
Soulforce
The Trevor Project
West Hollywood/Beverly Hills Democratic Club
Women's Alliance for Theology, Ethics and Ritual
Women's Therapy Center
A number of individual mental health practitioners and
individual Californians

Removal of Opposition

California Association for Licensed Professional Clinical
Counselors
California Association of Marriage and Family Therapists
California Psychological Association
California Psychiatric Association* (Pending Letter)

Opposition:

American College of Pediatricians
California Catholic Conference, Inc.
Catholic Medical Association
Christian Medical & Dental Associations
Church State Council

Additional Opposition from:

Liberty Counsel Action
NARTH
Parents and Friends of Ex-Gays & Gays (PFOX)
Pacific Justice Institute

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